IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 10TH NOVEMBER 2006 / 19TH KARTHIKA 1928

Bail Appl..No. 6627 of 2006

CRIME NO.747/2006 OF VADAKARA POLICE STATION

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: PETITIONERS/ACCUSED

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1. SARATH @ BATHERY SARATH,
   S/O. SASEENDRAN, KOLLANTAVIDA HOUSE,
   PUTHUPPANAM AMSOM DESOM.

2. DILEEP, S/O. PADMANABHAN,
   VADAKKEKANDIYIL HOUSE, PUTHUPPANAM AMSOM.

3. BIJU @ KURUKKAN BIJU, S/O. CHOYI,
   VADAKKEKANDIYIL HOUSE, PUTHUPPANAM AMSOM DESOM.

4. HARIDASAN, S/O. BALAKRISHNAN,
   KALANDY MALAYIL HOUSE, PUTHUPPANAM,
   NADAKKUTHAZHA AMSOM.

5. CHANDRAN, S/O. KANNAN,
   KEROTH HOUSE, PUTHUPPANAM, NADAKKUTHAZHA AMSOM.

6. SREEJESH, S/O. SREEDHARAN,
   KUNTHAPURATH HOUSE, NADAKKUTHAZHA AMSOM,
   PUTHUPPANAM.

7. NIDHEESH, S/O. KUNHIKANNAN,
   MEETHALE KANNANKOTT HOUSE, NADAKKUTHAZHA AMSOM,
   PUTHUPPANAM.

8. RAJESH, S/O. KUNHIKANNAN,
   MALAYIL HOUSE, NADAKKUTHAZHA AMSOM,
   PUTHUPPANAM.

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS: COMPLAINANT & STATE

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1. SUB INSPECTOR OF POLICE,

VADAKARA POLICE STATION, VADAKARA.

2. STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 10/11/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 6627/2006

DATED THIS THE 10TH DAY OF NOVEMBER, 2006

O R D E R

The petitioners 1 to 8 are accused Nos. 1, 4, 9, 2, 5, 6, 10 and 11 in crime No.747/2006 of Vadakara Police Station, for the offence punishable under Sections 143, 147, 148, 450, 324, 427 and 307 IPC read with Section 149 IPC and also under Section 3 and 5 of the Explosive Substances Act. The petitioners 1, 4 and 9 were arrested on 26.10.2006 and others were arrested on 28.10.2006. They are in judicial custody. Hence this application, under Section 439 Cr.P.C.

2. I heard the arguments advanced by both sides. It is submitted that there are case and counter case against the petitioners as well as the defacto complainant.

3. Considering the submissions made by either side and the facts available on record, I grant bail and release the petitioners from jail, subject to the following conditions:-

(a). Each petitioner shall execute a bond for Rs.15,000/-, with two solvent sureties, each for the like sum, to the satisfaction of the Judicial Magistrate of first Class, Vadakara.

(b). The petitioners shall report before the Investigating Officer, once in a week, on every Wednesday, between 10.00 a.m and 11.00 a.m., for a period of three months, starting from 15.11.2006.

The application is allowed as above.

J.M.JAMES
JUDGE

mrcs